

Address and company of the customer:

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Please sign and return to:

**bARka-Hamburg, Germany**

Phone: ++49 (0)40 23654-0

Fax: ++49 (0)40 23654-188

## Declaration of Warranty and Exemption

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The customer has concluded an agreement with regard to the production of sound carriers and other data carriers (CDs, CD-ROM's, etc.) (Production Order) with bARka Handelsgesellschaft mbH (hereinafter referred to as bARka). The customer shall warrant and guarantee to bARka and the affiliated companies that it is fully entitled to place this Production Order, in particular that it holds the necessary copyright, rights of utilisation and/or exploitation rights in this respect and that no third-party rights will be infringed as a result of the placement of the Production Order or reproduction on the part of bARka. The customer shall have sole and full liability in the event of the infringement of any third-party rights.

In the event that claims are asserted against bARka or affiliated companies as a result of such an infringement of third-party rights, the customer undertakes to grant full exemption to bARka and the affiliated companies from such third-party claims which arise due to such an infringement of rights and to reimburse bARka, in particular rights whose protection has been transferred to copyright collecting societies, e.g. GEMA, irrespective of the form of presentation (e.g. as background music).

Our Declaration of Warranty and Exemption also applies to all future agreements and Production Orders which are concluded between bARka and the customer, even if specific reference is not made to it in each individual case or if it is not annexed to the said Production Orders. It also applies with retroactive effect to the point in time of the first Production Order for customers who have not as yet submitted a Declaration of Warranty and Exemption to bARka. The society for Musical Performing Rights and Mechanical Reproduction Rights (GEMA) is also the direct beneficiary of the Declaration and is subject to the laws of the Federal Republic of Germany.

Place, date \_\_\_\_\_

\_\_\_\_\_  
Legal signature and company stamp